

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Case No. 06-cr-46-01-SM

Rayner Herrera

O R D E R


Defendant Herrera's motion to continue the final pretrial conference and trial is granted (document 25). Trial has been rescheduled for the September 2007 trial period. Defendant Herrera shall file a waiver of speedy trial rights not later than May 21, 2007. On the filing of such waiver, his continuance shall be effective. Apparently a change in defense counsel is in the offing, and other circumstances have arisen that were not expected. Again, however, another continuance is not likely to be granted and the parties shall be prepared to go forward on the date assigned.

The Court finds that the ends of justice served by granting a continuance outweigh the best interest of the public and the defendant in a speedy trial, 18 U.S.C. § 3161(h)(8)(B)(iv), in that failure to grant a continuance would unreasonably deny defendant the reasonable time necessary for effective preparation taking into account the exercise of due diligence under the circumstances.

Final Pretrial Conference: August 24, 2007 at 11:00 a.m.

Jury Selection: September 5, 2007 at 9:30 a.m.

SO ORDERED.


Steven J. McAuliffe
Chief Judge

May 11, 2007

cc: R. Brian Snow, Esq.
Alfred Rubega, AUSA
US Probation
US Marshal